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2 NOTE: MOTION FOR DEFAULT SHOULD HAVE BEEN FILED
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9 IN THE UNITED STATES DISTRICT COURT
10 FOR THE EASTERN DISTRICT OF CALIFORNIA

11 WILLIAM SCHAPPEL,)
12) CIV. S-05-219 GEB PAN
13 Plaintiff,)
14 v.) ORDER TO SHOW CAUSE
15 PANTHEON HOLDINGS, INC.)
16 Defendant.)
_____)

17 Plaintiff failed to file a status as required by the order
18 setting status (pretrial scheduling) conference, which was filed on
19 February 2, 2005. Further, plaintiff failed to prosecute the default
20 in this action as indicated in the Minute Order filed May 17, 2005.
21 It is, therefore, assumed that plaintiff has no interest in
22 prosecuting this action. Accordingly this action is dismissed without
23 prejudice.

24 IT IS SO ORDERED.

25 Dated: June 7, 2005

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27 /s/ Garland E. Burrell, Jr.
GARLAND E. BURRELL, JR.
28 United States District Judge